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8 HITACHI ELECTRONIC DEVICES (USA), INC.

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10 UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

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IN RE TFT-LCD (FLAT PANEL)  
ANTITRUST LITIGATION

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This Document Relates to:

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*Nokia Corporation and Nokia, Inc. v. AU  
Optronics Corporation, et al.*, Case No. 09-  
cv-5609

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*Best Buy Co., Inc., et al. v. AU Optronics  
Corporation, et al.*, Case No. 10-cv-4572

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*Costco Wholesale Corporation v. AU  
Optronics Corporation, et al.*, Case No. 11-  
cv-0058

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MDL File No. 3:07-md-1827 SI

**STIPULATION AND [PROPOSED]  
ORDER MODIFYING FACT  
DISCOVERY CUTOFF DATE FOR  
HITACHI, LTD. AND HITACHI  
DISPLAYS, LTD.'s 30(b)(6)  
DEPOSITION(S) AND RESPONSES TO  
NOKIA'S FIRST SET OF REQUESTS  
FOR ADMISSION**

1 Plaintiffs Nokia Corporation, Nokia Inc., Best Buy Co., Inc., Best Buy Purchasing  
2 LLC, Best Buy Enterprise Services, Inc., Best Buy Stores, L.P., Magnolia Hi-Fi, Inc., and  
3 Costco Wholesale Corp. (collectively, "Plaintiffs") and Defendants Hitachi, Ltd. and  
4 Hitachi Displays, Ltd. (collectively, the "Hitachi Defendants") hereby stipulate as follows:

5 **STIPULATION**

6 WHEREAS fact discovery closes in the above-captioned matters on December 8,  
7 2011, as set forth in the Stipulation and Order Modifying Pretrial Schedule for "Track One"  
8 Direct Action Plaintiff and State Attorney General Actions (Dkt. No. 3110, the "Scheduling  
9 Order");

10 WHEREAS Plaintiffs served the Notice of Deposition of Hitachi, Ltd. and Hitachi  
11 Displays, Ltd.'s pursuant to the Federal Rules of Civil Procedure 30(b)(6) ("Notice") on  
12 November 17, 2011, scheduling the deposition(s) to take place on December 6, 2011;

13 WHEREAS the Hitachi Defendants intend to serve objections to the Notice on  
14 December 15, 2011, and thereafter Plaintiffs and the Hitachi Defendants intend to meet and  
15 confer in good faith regarding the proposed deposition topics;

16 WHEREAS Plaintiffs and the Hitachi Defendants have conferred regarding the  
17 schedule set forth in the Scheduling Order and do not believe that the current schedule  
18 allows for sufficient time to meet and confer regarding the proposed deposition topics and  
19 to make witnesses available for deposition on the agreed upon topics;

20 WHEREAS Plaintiffs and the Hitachi Defendants agree to an extension of the close  
21 of fact discovery until the end of January 2012 for the limited purpose of allowing  
22 sufficient time for Plaintiffs to take the noticed 30(b)(6) deposition(s) of Hitachi, Ltd. and  
23 Hitachi Displays, Ltd.;

24 WHEREAS Nokia Corporation. and Nokia Inc. served its First Set of Requests for  
25 Admission ("Requests") on the Hitachi Defendants on November 8, 2011;

26 WHEREAS Nokia Corporation, Nokia Inc. and the Hitachi Defendants have  
27 conferred regarding the schedule set forth under the Federal Rules and have agreed to an

1 extension of the close of fact discovery until December 23, 2011 for the limited purpose of  
2 allowing the Hitachi Defendants to respond to the Requests;

3 NOW, THEREFORE, Plaintiffs and the Hitachi Defendants, through their  
4 undersigned respective counsel, stipulate and agree as follows:

5 The fact discovery cutoff date of December 8, 2011 in the above-captioned matters,  
6 as set forth in the Scheduling Order, is extended solely as to the noticed 30(b)(6)  
7 deposition(s) of Hitachi, Ltd. and Hitachi Displays, Ltd., up to and including January 31,  
8 2012.

9 The fact discovery cutoff date of December 8, 2011 in *Nokia Corporation and*  
10 *Nokia Inc. v. AU Optronics Corporation, et al.*, Case No. 09-cv-5609, as set forth in the  
11 Scheduling Order, is extended solely as to the Hitachi Defendants' responses to Nokia  
12 Corporation and Nokia Inc.'s First Set of Requests for Admission, up to and including  
13 December 23, 2011.

14  
15 DATED: December 7, 2011.

/s/ Kent M. Roger

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21 *Counsel for Defendants Hitachi, Ltd., Hitachi Displays,*  
22 *Ltd. and Hitachi Electronic Devices (USA), Inc.*

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*Counsel for Plaintiff Costco Wholesale Corporation*

**ATTESTATION:** Pursuant to N.D. Cal. General Order 45, Part X-B, the filer attests that  
concurrence in the filing of this document has been obtained from each signatory hereto.

Dated: December 7, 2011

By: /s/ Kent M. Roger  
Kent M. Roger

1 **IT IS SO ORDERED.**

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3 Dated Entered: 12/12/11

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The Honorable Susan Illston  
District Court Judge